

JEA:jea

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

JOSEPH LAURENCE FORLITI

11-mj-293-JJK

I, Kylie M. Williamson, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 14, 2011, in Ramsey County, in the State and District of Minnesota, defendant took and obtained property belonging to SuperAmerica, a business engaged in interstate commerce, specifically United States currency, from and in the presence of H.S., against H.S.'s will, by means of actual and threatened force, and by means of violence and fear of immediate injury to H.S.'s person,

in violation of Title 18, United States Code, Section 1951(a).

I further state that I am a Special Agent and that this complaint is based on the following facts:
 SEE ATTACHED AFFIDAVIT

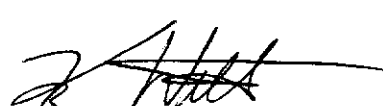
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

7/19/11
 Date

The Honorable Jeffrey J. Keyes
 UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer


 Signature of Complainant
 Kylie M. Williamson
 ATF

Minneapolis, MN
 City and State

SCANNED

JUL 19 2011

U.S. DISTRICT COURT ST. PAUL


 Signature of Judicial Officer

STATE OF MINNESOTA)
) ss. **AFFIDAVIT OF KYLIE M. WILLIAMSON**
COUNTY OF RAMSEY)

I, Kylie M. Williamson, being duly sworn, depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since August of 2007. Prior to that, your Affiant was employed by ATF for two years as an Industry Operations Investigator. Your Affiant is currently assigned to the St. Paul Group I Field Office, and works with various law enforcement agencies and drug task forces throughout the state of Minnesota. Your Affiant's responsibilities include conducting criminal investigations of individuals and organizations related to the violations of Federal laws, particularly those found in Titles 18, 21, and 26. Your Affiant has participated in numerous investigations which have resulted in the arrests, searches, seizures, and convictions of individuals who have violated Federal law.

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that on June 14, 2011, Joseph Laurence FORLITI committed the following federal violation:

Robbed a SuperAmerica convenience store located at 3155 Century Avenue North in the City of White Bear Lake, Minnesota (hereinafter "SuperAmerica"), in violation of Title 18, United States Code, Section 1951(a);

The facts set forth in this Affidavit are based on my personal knowledge and observations in this investigation; on my review of police reports and surveillance video, and on discussions I have had with other law enforcement personnel directly involved in the investigation. The facts set forth herein contain information sufficient to support probable cause. This Affidavit is not intended to convey all of the facts learned during the course of this investigation.

3. On June 14, 2011 at approximately 4:28 a.m., police officers arrived at the SuperAmerica in response to an activated robbery alarm. At the scene, the store clerk, H.S., and a customer, A.F., told police officers that two men had robbed the store at gunpoint.

4. The two victims specifically explained that while A.F. was standing at the checkout counter waiting to pay H.S., two men dressed all in black rushed into the store and up to the checkout counter. One of the men, later identified as Joseph Laurence FORLITI, was armed with a handgun. FORLITI jumped up onto the checkout counter, ordered H.S. to open the cash register, and then reached in and stole the money from the cash register drawer. While FORLITI was stealing the money, the second robber, stood behind A.F, held onto him, and advised A.F. not to move. Once FORLITI obtained the money, the two men fled from the store with what was later determined to be approximately \$218.00 in cash.

5. Later that same morning on June 14, 2011, at approximately 5:15 a.m., a Washington County Deputy observed two men appear from a wooded area a short distance away from the SuperAmerica robbery location. These two men matched the description provided to law enforcement of the men who had recently robbed the SuperAmerica store. The Deputy stopped and identified one of the men as Defendant FORLITI.

6. Recovered from FORLITI's pockets was a total of \$181.00 in cash. Of this cash, there were twelve five dollar bills clipped with a paper clip, totaling \$60.00. The SuperAmerica clerk H.S. observed a photograph of the clipped five dollar bills recovered from FORLITI and advised that these bills were exactly how she clipped a pack of five-dollar bills that were stolen from the register that morning.

7. Surveillance video from the SuperAmerica corroborated the robbery of the store as described by the two victims. In addition, photographic stills obtained from the video surveillance revealed distinctive clothing traits of each robber. For example, the robber who had the handgun can be seen in the video as wearing dark colored pants with the cuffs of each pant leg bound up and tied in the back of the pants near his ankles; giving the appearance of a ponytail at the back of each pants leg. The gunman's shoes in the video were shades of black and gray and had three diagonal stripes on the insole and outsole.

8. The clothing worn by FORLITI at the time of his arrest was consistent with the clothing on the SuperAmerica surveillance video of the person who jumped over the counter and possessed the handgun. Specifically, the cuffs of each leg of the black jeans worn by FORLITI at the time of his arrest were tied back with bands in a ponytail

fashion exactly like the pant cuffs seen on the surveillance tape. Furthermore, the tennis shoes FORLITI was wearing at the time of his arrest matched those shoes worn by the armed gunman in the video.

9. I interviewed the manager of the SuperAmerica as well as a SuperAmerica security and loss management employee. Both employees stated that SuperAmerica orders, stocks, and sells a variety of products that were manufactured outside the State of Minnesota to include fuel, tobacco, beer, soda, and food. In addition, the Corporate Office for the companies associated with the SuperAmerica brand is located outside the State of Minnesota. Consequently, the robbery of the SuperAmerica involved an attempted obstruction or delay in commerce, and an attempted obstruction or delay of the movement of any article or commodity in commerce.



KYLIE M. WILLIAMSON
SPECIAL AGENT, ATF

Sworn to and subscribed
before me this 19 day
of July, 2011


JEFFREY J. KEYES
UNITED STATES CHIEF MAGISTRATE JUDGE